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6 Attorneys for Plaintiffs
DISCOVER BANK, and
7 DISCOVER FINANCIAL SERVICES, INC.

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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
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12 DISCOVER BANK, a Delaware Financial
Institution, and DISCOVER FINANCIAL
13 SERVICES, INC., a Delaware Corporation,

14 Plaintiffs,

15 vs.

16 FEDERAL INSURANCE COMPANY, an
Indiana Corporation,

17 Defendant.
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CASE NO. C-05-01622 JCS SC

**STIPULATION AND ~~PROPOSED~~ ORDER
RESCHEDULING CASE MANAGEMENT
CONFERENCE**

Date: November 18, 2005
Time: 10:00 a.m.

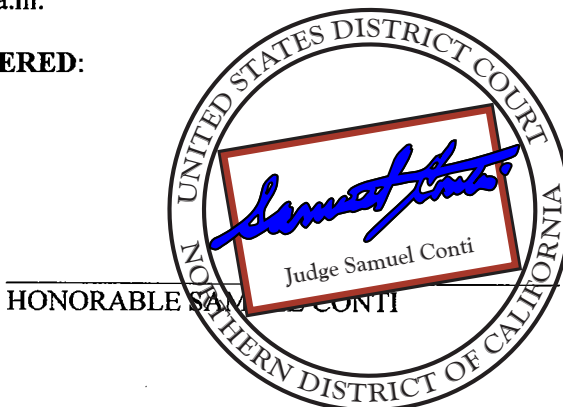
Complaint Filed: April 19, 2005

21 Tressler, Soderstrom, Maloney & Priess on behalf of Federal Insurance Company,
22 and Kirkland & Ellis LLP on behalf of Discover Bank and Discover Financial Services, Inc., ("the
23 Parties") hereby stipulate to postpone the Case Management Conference on calendar for
24 September 16, 2005 at 10:00 a.m. The Parties have settled the case and are negotiating the final
25 terms of a settlement agreement. The Parties do not anticipate any difficulties finalizing the
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1 settlement. Subject to the Court's approval, the Parties stipulate to reschedule the Case Management
2 Conference to November 18, 2005 at 10:00 a.m.

3 Accordingly, **IT IS HEREBY ORDERED:**

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5 Dated: 9/12, 2005.



HONORABLE SAMUEL CONTI

9 **APPROVED AS TO FORM:**

10 Dated: September 9, 2005.

KIRKLAND & ELLIS LLP

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13 By:

A handwritten signature in black ink, reading "Julie A. Ahrens".

James Shannon
Julie A. Ahrens
Attorneys for Plaintiffs
DISCOVER BANK, a Delaware Financial
Institution, DISCOVER FINANCIAL
SERVICES, INC., a Delaware Corporation

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17 Dated: September 9, 2005.

TRESSLER, SODERSTROM, MALONEY &
PRIESS

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19
20
21 By:

A handwritten signature in black ink, reading "Evan B. Sorensen".

Evan B. Sorensen
Attorneys for Defendant
FEDERAL INSURANCE COMPANY